FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO.160 OF 2005

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	: : : : :	Court's or Judge's Orders

Mr. P.B. Naiknaware for the appellant.

Ms. Seema Sarnaik for the respondent.

CORAM: SMT. RANJANA DESAI &
D.B. BHOSALE, JJ.

DATED: 13TH FEBRUARY, 2006.

P.C.:-

1. The appellant husband has challenged in this appeal, the judgment and order dated 20/9/2005 passed by the Family Court at Pune in Petition No.A-29-2004 passing a decree of divorce on the ground of cruelty by taking recourse to section 13(1) (ia) of the Hindu Marriage Act, 1955.

2. We have heard the learned counsel for the parties. Having perused the judgment, we are of the opinion that the appeal does not merit admission. The reasoning adopted by the learned judge of the family court cannot be faulted on any count. It is perfectly a balanced judgment. No interference is necessary with it. It is an admitted position that elder son is staying with the respondent and the younger son is staying with the appellant. The only contention raised by the appellant is that if their marriage is dissolved, the marriage prospect of the son, who is staying with him would be bleak and he may not be able to get married if the mother does not attend the marriage.

3. Ms. Sarnaik, the learned counsel for the respondent on instructions from the respondent, states that the mother will attend the marriage. In view of this, we do not find any merit in this appeal. Appeal is

dismissed.

(SMT. RANJANA DESAI, J.)

(D.B. BHOSALE, J.)